

## NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 31/03/2017 2:37:00 PM AEDT and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

### Filing and Hearing Details

Document Lodged:	Originating process (Rule 2.2): Federal Court (Corporations) Rules 2000 form 2
File Number:	VID318/2017
File Title:	IN THE MATTER OF PENRICE SODA HOLDINGS LIMITED (IN LIQUIDATION) & ORS
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	Hearing
Time and date for hearing:	07/04/2017, 9:30 AM
Place:	COURT 8H (Level 8), Owen Dixon Commonwealth Law Courts Building Level 7, 305 William Street, Melbourne



A handwritten signature in black ink, appearing to read 'Warwick Soden'.

Dated: 31/03/2017 3:17:22 PM AEDT

Registrar

### Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



**Form 2**      **Originating process**  
(rules 2.2 and 15A.3)

Federal Court of Australia

of 2017

District            Victoria  
Registry:

Division:            General

IN THE MATTER OF PENRICE SODA HOLDINGS LIMITED (IN LIQUIDATION) (and each of the Companies listed in the Schedule)

ACN: 109 193 419

**Theodora Alice Eszenyi and Peter McKenzie Anderson**  
Plaintiffs

**A.      DETAILS OF APPLICATION**

This application is made under section 503 of the Corporations Act 2001 (Cth) (the **Act**).

This is an application for the appointment of a liquidator.

On the facts stated in the supporting affidavits, the plaintiffs seek:

- 1      An order that Robyn Beverley McKern of McGrathNicol, Level 6, 171 Collins Street, Melbourne, Victoria, be appointed as a liquidator of the Companies, to act as a joint and several liquidator of the Companies with Peter McKenzie Anderson who is to continue as a liquidator of the Companies, such appointment to be effective from the date of this order.
- 2      An order that the costs of this application be costs in the liquidation of the Companies listed in the Schedule.
- 3      Any other order that the Court considers appropriate.

Date: 31.03.2017

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Filed on behalf of Theodora Alice Eszenyi and Peter McKenzie Anderson, the Plaintiffs

Prepared by Samantha Kinsey  
Law firm **KING & WOOD MALLESONS**  
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**Address for service**

Level 50 Bourke Place, 600 Bourke Street, Melbourne VIC 3000  
Ref: MBS/SJK : 603-0022525  
31814017\_6



*fe* .....  
Samantha Kinsey  
Lawyer for the Plaintiffs  
King & Wood Mallesons

This application will be heard by the Federal Court of Australia at Commonwealth Law Courts,  
305 William Street, Melbourne at .....am/pm on .....

**B. NOTICE TO DEFENDANT(S)**

THERE ARE NO DEFENDANTS TO THIS APPLICATION

**C. APPLICATION FOR WINDING UP ON GROUND OF INSOLVENCY**

NOT APPLICABLE

**D. FILING**

Date of filing:

.....  
*Registrar*

This originating process is filed by Samantha Kinsey for the Plaintiffs.

**E. SERVICE**

The plaintiffs' address for service is

King & Wood Mallesons  
Level 50 Bourke Place  
600 Bourke Street  
Melbourne VIC 3000  
samantha.kinsey@au.kwm.com

It is not intended to serve a copy of this originating process on any person.

**Schedule**

VID of 2017

Federal Court of Australia

District Victoria  
Registry:

Division: General

IN THE MATTER OF:

Penrice Soda Holdings Limited (In Liquidation)  
ACN 109 193 419Penrice Soda Products Pty Ltd (In Liquidation)  
ACN 008 206 942Penrice Pty Ltd (In Liquidation)  
ACN 108 970 421PSP SPV Pty Ltd (In Liquidation)  
ACN 097 756 413Penrice Finance Pty Ltd (In Liquidation)  
ACN 098 082 458Penrice Holdings Pty Ltd (In Liquidation)  
ACN 008 125 835Penrice Soda JV Pty Ltd (In Liquidation)  
ACN 161 918 396